

also held that the U.S. was liable to the tribe for most of its claims.

After several years, the United States and the tribe reached a mutually acceptable settlement that, when approved by Congress, will convey approximately 7,100 acres of Forest Service land to the tribe and will extinguish all land claims the tribe has against the United States. S. 1773 has the full support of the New Mexico State congressional delegation, and I look forward to the support of this body.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GRIJALVA asked and was given permission to revise and extend his remarks.)

Mr. GRIJALVA. I rise in strong support of this legislation and to congratulate our colleague from New Mexico, Mr. TOM UDALL, who has worked tirelessly over the last year to bring this bill before us.

The bill will enable the settlement of the Pueblo de San Ildefonso's land-related claims against the United States. After several years of negotiating, all parties are prepared to resolve the case that has been pending for nearly 55 years. I salute Congressman UDALL for his tenacity in getting this bill through the House. Mr. UDALL could not be here today, but I have his statement to submit for the RECORD.

I urge my colleagues to support S. 1773.

Mr. UDALL of New Mexico. In 1951, the Pueblo of San Ildefonso, located in northern New Mexico, initially filed a legal claim under the Indian Claims Commission Act of 1946. That law provides for some degree of compensation to Native American tribes and pueblos for lands lost and for damages resulting from government actions. The claim of the Pueblo of San Ildefonso is the last remaining unresolved case under the 1946 Act.

On May 24, 2006, S. 1773, The Pueblo de San Ildefonso Claims Settlement Act, passed the Senate by unanimous consent. I ask today that my colleagues in this House fully support passage of this important and historic bill. This legislation is needed to implement the settlement agreement signed by the Pueblo and the Departments of Justice, Interior, and Agriculture. According to the terms of the agreement, authorizing legislation must be enacted by November 2006. Passage into law of S. 1773 will conclude the case, entitled Pueblo de San Ildefonso v. United States of America, with the Indian Claims Commission.

After many years of serious negotiations among the Pueblo of San Ildefonso, the Federal Government, the surrounding counties, and a neighboring tribe, this non-controversial bill will finally provide a resolution of this long-standing concern. It will also end the Indian Claims Commission chapter of federal Indian affairs. The Senate Indian Affairs Committee Report, S. Rpt. 109–252, contains background information on the bill as well as the terms of the settlement agreement and the Los Alamos agreement, which the bill will also approve.

As the Representative of the Third Congressional District of New Mexico which includes

the Pueblo of San Ildefonso, I ask that you support the passage of S. 1773 under suspension of the rules.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the Senate bill, S. 1773.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PASCUA YAQUI MINERAL RIGHTS ACT OF 2006

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 631) to provide for acquisition of subsurface mineral rights to land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe, and for other purposes, as amended.

The Clerk read as follows:

H.R. 631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pascua Yaqui Mineral Rights Act of 2006”.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) STATE.—The term “State” means the State of Arizona.

(3) TRIBE.—The term “Tribe” means the Pascua Yaqui Tribe.

SEC. 3. ACQUISITION OF SUBSURFACE MINERAL INTERESTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Attorney General of the United States and with the consent of the State, shall acquire through eminent domain the following:

(1) All subsurface rights, title, and interests (including subsurface mineral interests) held by the State in the following tribally-owned parcels:

(A) Lot 2, sec. 13, T. 15 S., R. 12 E., Gila and Salt River Meridian, Pima County Arizona.

(B) Lot 4, W $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 13, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(C) NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 24, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(D) Lot 2 and Lots 45 through 76, sec. 19, T. 15 S., R. 13 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(2) All subsurface rights, title, and interests (including subsurface mineral interests) held by the State in the following parcels held in trust for the benefit of Tribe:

(A) Lots 1 through 8, sec. 14, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(B) NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 14, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(b) CONSIDERATION.—Subject to subsection (c), as consideration for the acquisition of subsurface mineral interests under subsection (a), the Secretary shall pay to the State an amount equal to the market value of the subsurface mineral interests acquired, as determined by—

(1) a mineral assessment that is—

(A) completed by a team of mineral specialists agreed to by the State and the Tribe; and

(B) reviewed and accepted as complete and accurate by a certified review mineral examiner of the Bureau of Land Management;

(2) a negotiation between the State and the Tribe to mutually agree on the price of the subsurface mineral interests; or

(3) if the State and the Tribe cannot mutually agree on a price under paragraph (2), an appraisal report that is—

(A)(i) completed by the State in accordance with subsection (d); and

(ii) reviewed by the Tribe; and

(B) on a request of the Tribe to the Bureau of Indian Affairs, reviewed and accepted as complete and accurate by the Office of the Special Trustee for American Indians of the Department of the Interior.

(c) CONDITIONS OF ACQUISITION.—The Secretary shall acquire subsurface mineral interests under subsection (a) only if—

(1) the payment to the State required under subsection (b) is accepted by the State in full consideration for the subsurface mineral interests acquired;

(2) the acquisition terminates all right, title, and interest of any party other than the United States in and to the acquired subsurface mineral interests; and

(3) the Tribe agrees to fully reimburse the Secretary for costs incurred by the Secretary relating to the acquisition, including payment to the State for the acquisition.

(d) DETERMINATION OF MARKET VALUE.—Notwithstanding any other provision of law, unless the State and the Tribe otherwise agree to the market value of the subsurface mineral interests acquired by the Secretary under this section, the market value of those subsurface mineral interests shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Appraisal Institute in 2000, in cooperation with the Department of Justice and the Office of Special Trustee for American Indians of the Department of Interior.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the acquisition of subsurface mineral interests under this section as the Secretary considers to be appropriate to protect the interests of the United States and any valid existing right.

SEC. 4. INTERESTS TAKEN INTO TRUST.

(a) LAND TRANSFERRED.—Subject to subsections (b) and (c), notwithstanding any other provision of law, not later than 180 days after the date on which the Tribe makes the payment described in subsection (c), the Secretary shall take into trust for the benefit of the Tribe the subsurface rights, title, and interests, formerly reserved to the United States, to the following parcels:

(1) E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 14, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(2) W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, sec. 24, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(b) EXCEPTIONS.—The parcels taken into trust under subsection (a) shall not include—

(1) NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 24, except the southerly 4.19 feet thereof;

(2) NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 24, except the southerly 3.52 feet thereof; or

(3) S½SE¼, sec. 23, T. 15 S., R. 12 E., Gila and Salt River Base & Meridian, Pima County, Arizona.

(c) CONSIDERATION AND COSTS.—The Tribe shall pay to the Secretary only the transaction costs relating to the assessment, review, and transfer of the subsurface rights, title, and interests taken into trust under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 631 directs the Secretary of the Interior to acquire through the process of eminent domain, and only with the consent of the State of Arizona, the subsurface mineral estate beneath the lands of the Pascua Yaqui Tribe of Arizona. This will consolidate ownership of the subsurface and surface estates to complete the tribe's application to take land into trust currently pending at the State Department of Interior.

The Department has objected to the tribe's application because the State of Arizona still owns the subsurface mineral estate beneath the tribe's newly acquired land. For the tribe to acquire the relevant mineral estate, the United States Government is required to acquire the subsurface estate because the State of Arizona cannot sell land under State law. The tribe will then purchase the subsurface estate from the United States. Once the subsurface estate is owned by the tribe, the Interior Department may move forward with the tribe's fee-to-trust application for the relevant surface lands. The acquisition in this act may be done only by the consent of the State of Arizona.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GRIJALVA asked and was given permission to revise and extend his remarks.)

Mr. GRIJALVA. Mr. Speaker, H.R. 631 is an important piece of legislation that will enable the Pascua Yaqui Tribe of my district in Arizona to consolidate its land holdings and have some of its lands and interests in the lands taken into trust by the Secretary of the Interior.

Because of a quirk in Arizona State law, the tribe cannot acquire the subsurface mineral rights to certain parcels of State trust land it has pur-

chased, making this legislation necessary. The bill requires the Secretary of the Interior, who acts as trustee to Indian nations, to acquire the mineral rights to land already owned by the Pascua Yaqui Tribe from the State of Arizona and take the land into trust on the tribe's behalf. It also requires the government to transfer other mineral rights into trust for the tribe. The tribe will pay the fair market value for the mineral rights involved as well as a transaction cost to complete the transfer.

The Pascua Yaqui Tribe and the Governor of Arizona are supportive of this legislation, and I am personally thrilled that the House is taking up this bill today. It is an important measure that will enable the tribe to have full control over its own lands, providing opportunities for economic development and self-determination to the community.

I wish to thank my colleagues and the leadership within the Resources Committee for making this bill a priority for passage this session. I urge my colleagues to support H.R. 631.

Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no other speakers at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 631, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LAKE MATTAMUSKEET LODGE PRESERVATION ACT

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5094) to require the conveyance of Mattamuskeet Lodge and surrounding property, including the Mattamuskeet National Wildlife Refuge headquarters, to the State of North Carolina to permit the State to use the property as a public facility dedicated to the conservation of the natural and cultural resources of North Carolina.

The Clerk read as follows:

H.R. 5094

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lake Mattamuskeet Lodge Preservation Act".

SEC. 2. CONVEYANCE OF MATTAMUSKEET LODGE, MATTAMUSKEET NATIONAL WILDLIFE REFUGE, NORTH CAROLINA.

(a) CONVEYANCE REQUIRED.—Within six months after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the United

States Fish and Wildlife Service, shall convey to the State of North Carolina, without consideration, all right, title, and interest of the United States, except for certain utility and road easements, in and to a parcel of real property consisting of approximately 6.25 acres and containing Mattamuskeet Lodge and surrounding property, including the Mattamuskeet National Wildlife Refuge headquarters, as depicted on the map entitled "Lake Mattamuskeet Lodge/Pump Station" and dated January 10, 2006, for the purpose of permitting the State to use the property as a public facility dedicated to the conservation of the natural and cultural resources of North Carolina.

(b) RESTORATION AND MAINTENANCE OF LODGE.—The Mattamuskeet Lodge is listed on the National Register of Historic Places, and, as a condition of the conveyance of the lodge under subsection (a), the State shall agree to restore and maintain the lodge in accordance with—

(1) the Standard for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, as prescribed pursuant to section 106 of the National Historic Preservation Act (16 U.S.C. 470f), Part 800 of title 36, Code of Federal Regulations; and

(2) the General Statutes of North Carolina, Chapter 121, Article 1.

(c) AS IS CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the State accept the real property described in such subsection in its condition at the time of the conveyance, commonly known as conveyance "as is".

(d) ADMINISTRATIVE EXPENSES.—The State shall cover the costs of any survey and the cost of recordation of deeds in connection with the conveyance under this section. Except as provided in subsection (e), all other costs associated with the conveyance shall be paid by the Secretary.

(e) LIABILITY.—Notwithstanding any other provision of law, the Secretary shall not retain liability for any environmental remediation that may be required with regard to the real property conveyed under this section under any applicable environmental authorities for—

(1) costs or performance of response actions required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601, et seq.) at or related to the property; or

(2) costs, penalties, fines, or performance of actions related to noncompliance with applicable environmental authorities at or related to the property or related to the presence, release, or threat of release of any hazardous substance, pollutant, or contaminant, hazardous waste, hazardous material, or petroleum product or derivative of a petroleum product of any kind at or related to the property, including contamination resulting from migration.

(f) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under this section is not being used in accordance with the purpose of the conveyance specified in subsection (a) or the State is not complying with the condition of the conveyance under subsection (b), all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(g) MEMORANDUM OF AGREEMENT.—The Secretary shall cooperate with the State to develop a memorandum of agreement encompassing mutually beneficial opportunities to